

**9.55.020 – Offenses**

**A.**

1. It is unlawful for any person to host, permit, allow, or fail to take reasonable steps to prevent an event or gathering at any residence or premises, or on any other property whether private or public, or in any conveyance, over which that person has control or a reasonable opportunity for control where illicit drugs or alcoholic beverages are present when that person knows or reasonably should know that an underage person will or does consume or possess any illicit drugs or alcoholic beverage. The fact that a person has taken all reasonable steps may be considered as an affirmative defense as to whether such person “reasonably should know” that an underage person will or does consume or possess any illicit drugs or alcoholic beverages.
2. It also is unlawful for any person to fail to take reasonable steps to prevent possession or consumption of illicit drugs or alcoholic beverages by an underage person at any such event or gathering. A person who hosts an event or gathering does not have to be present at the event or gathering to be in violation of this subsection A.

**B.**

1. A person is responsible for violating Subsection A of this Section if that person intentionally aids, advises, hires, counsels, conspires with, or solicits another person to commit a violation of Subsection A.
2. A person is responsible for violating Subsection A of this Section if that person knows or should have known about the committing of a prohibited act and failed to take reasonable steps to prevent the prohibited act.

**C.**

1. A person who hosts an event or gathering shall not be in violation of this Chapter if he or she undertakes one of the following steps before any other person makes a complaint about the event or gathering:
  - a. seeks assistance from the St. Charles Police Department or other law enforcement agency to remove any person who refuses to abide by the host’s performance of the duties imposed by this Chapter, or
  - b. terminates the event or gathering because the host has been unable to prevent underage persons from consuming illicit drugs or alcoholic beverages despite having taken all reasonable steps to do so.

- D. This Chapter does not apply to conduct involving the use of alcoholic beverages that occurs at a religious ceremony or that is exclusively between an underage person and his or her parent, as permitted by Illinois State Law.